

MINUTES

THE REGULAR MEETING OF THE BOARD OF ALDERMEN CITY OF BRANSON, MISSOURI August 11, 2015

INTRODUCTORY

The Board of Aldermen of the City of Branson, Missouri, met in regular session in the Council Chambers of the City Hall on August 11, 2015, at 7:00 p.m. Mayor Best called the meeting to order with the "Pledge of Allegiance" and Garrett Anderson gave the invocation.

ROLL CALL

City Clerk Westfall called roll: Mayor Best presiding, Patrick Parnell, Mike Booth, Rick Todd, Cris Bohinc, Rick Davis and Bob Simmons.

Also present from the City were: City Clerk Lisa Westfall, City Attorney William Duston, Public Works Director and City Engineer David Miller, IT Director Chad Forster, Police Chief Kent Crutcher, Utilities Director Mike Ray, Economic Development Director Garrett Anderson, Planning and Development Director Joel Hornickel, Finance Director Jamie Rouch and Human Resources Director Jan Fischer.

EMPLOYEE OF THE MONTH

Alderman Parnell presented Wayne Glenn of the Engineering Department as the August Employee of the Month in recognition of displaying the City of Branson's Values of Sustainability and Vision, Integrity and Service.

PUBLIC COMMENT

Mayor Best began the Public Comments section of the Board of Aldermen meeting by stating the Board would hear citizens that signed the Speaker's Sheet in the order they are listed on the sheet.

Chuck Pennel, 440 Holstein Drive, Taneyville, Missouri, thanked the Board for the opportunity to speak and for their service to the community. He commented on the Bee Creek Sewer Project and said he spoke with some of the Board members on the phone regarding this topic and expressed his passion about the project. He stated he served on the County Commission around 2006 when the Sewer District and the City of Branson entered into an agreement to build the Bee Creek Sewer Project with the County sales tax funds. He added, this is a big project with a lot of politics involved. Mr. Pennel stated the City of Branson wanted the people developing to follow City building codes and the County Commission and Sewer District didn't feel this was appropriate since they are not in the City; they are in the County. He stated there was a battle over this and after quite a period of time, an agreement was made and he hopes the Board has reviewed it. Mr. Pennel commented he understands some Board members weren't aware of this project until a few weeks ago and he asked the Board to take quick action on this issue. He stated the City has broken its agreement as it was agreed upon the City wouldn't require people to sign an annexation agreement to hook on to the sewer and new buildings would not be required to follow City building codes. He said to his understanding, he believes these two things

have happened which breaks the written agreement and he feels many of the people originally involved would also agree. Mr. Pennel commented he feels it is the Board's responsibility to correct this issue and asked for this topic to be discussed at a future Board meeting. He asked the Board to ask Staff to stop doing these two items and get back to the agreement that was reached. He commented if the Board was interested in creating a new agreement, they could discuss this with the Sewer Board and County Commission, and any other parties involved to change it. He believes the agreement is crystal clear as both the County and the City Attorneys worked on the document and he urged the Board to do what is necessary to avoid going to court over this. He offered to further discuss this issue with the Board and clarified he believed the agreement was dated 2006 and mentioned speaking with Alderman Parnell and Administrator Malinen in June about it. He stated the Sewer District was working on other projects in other areas at the time and he believes there is another project name listed on the agreement, which was mentioned due to a previous agreement. He said there was an agreement and an amended agreement and he didn't know if the original agreement had required annexation and said this would be a question for an attorney and thanked the Board for their time. Discussion.

CONSENT AGENDA

Mayor Best asked if there were any citizens that had any items they wished to have removed from the Consent Agenda for further discussion. Hearing none, Mayor Best asked if any member of the Board had any items they wished to have removed from the Consent Agenda. Hearing none, Mayor Best asked City Clerk Westfall to read the items on the Consent Agenda. City Clerk Westfall read the following Consent Agenda items by title.

Approval of Board of Aldermen Minutes:

- a) July 23, 2015 Special Meeting
- b) July 24, 2015 Special Meeting
- c) July 28, 2015 Regular Meeting

Acknowledge Receipt of Minutes:

- a) Budget and Finance Committee meeting of May 28, 2015
- b) Planning & Zoning Commission Regular meeting of July 7, 2015
- c) Planning & Zoning Commission Study Session of July 7, 2015

BILL NO. 4767

Ord. No. 2015-0081

Approving the annexation of the property located at 189 Avondale Drive, Unit 8, Branson, Missouri.

Final Reading of Bill No. 4767, an ordinance approving the annexation of the property located at 189 Avondale Drive, Unit 8, Branson, Missouri, was read by title by City Clerk Westfall. Voting aye: Parnell, Booth, Todd, Bohinc, Davis and Simmons. Nays: None. Motion carried. Ordinance No. 2015-0081 was duly enacted.

BILL NO. 4768

Ord. No. 2015-0082

Approving a Planned Development amendment to the Woods Planned Development, PD 2000-001, to include the property located at 2280 Shepherd of the Hills Expressway, Branson, Missouri.

Final Reading of Bill No. 4768, an ordinance approving a Planned Development amendment to the Woods Planned Development, PD 2000-001, to include the property located at 2280 Shepherd of the Hills Expressway, Branson, Missouri, was read by title by City Clerk Westfall. Voting aye: Parnell, Booth, Todd, Bohinc, Davis and Simmons. Nays: None. Motion carried. Ordinance No. 2015-0082 was duly enacted.

Mayor Best opened the floor for a motion to approve all items on the Consent Agenda. Alderman Todd moved to approve, seconded by Alderman Davis. Voting aye: Parnell, Booth, Todd, Bohinc, Davis and Simmons. Nays: None. Motion carried.

REGULAR AGENDA

RESOLUTION NO. 2015-R018

Support for the Senior Affordable Housing Apartment Development, known as Summit Ridge Residences LLC at Branson Hills.

A Resolution of Support for the Senior Affordable Housing Apartment Development, known as Summit Ridge Residences LLC at Branson Hills was read by title by City Clerk Westfall and a staff report was presented by Garrett Anderson. Mayor Best asked for a motion adopting the resolution. Alderman Davis moved to adopt, seconded by Alderman Booth. Mayor Best asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Best asked for comments from the Board. Discussion. Mayor Best called for a vote on the Resolution. Voting aye: Parnell, Booth, Todd, Bohinc, Davis and Simmons. Nays: None. Motion carried. Resolution No. 2015-R018 was adopted.

Update by Jamie Rouch on 2015 Second Quarter Financials.

An update on 2015 Second Quarter Financials was provided by Jamie Rouch. Mayor Best asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Best asked for comments from the Board. Discussion.

BILL NO. 4769

Establishing the annual levy of a property tax for general revenue in the City of Branson, Missouri, a City of the Fourth Class.

Public Hearing and First Reading of Bill No. 4769, an ordinance establishing the annual levy of a property tax for general revenue in the City of Branson, Missouri, a City of the Fourth Class was read by title by City Clerk Westfall and a staff report was presented by Jamie Rouch. Mayor Best opened the public hearing and asked if anyone in the audience wished to speak in favor of or opposing this matter. Hearing none, Mayor Best closed the public hearing. Mayor Best asked for a motion approving Bill No. 4769. Alderman Simmons so moved, seconded by Alderman Booth. Mayor Best asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Best asked for comments from the Board. No discussion. Voting aye: Parnell, Booth, Todd, Bohinc, Davis and Simmons. Nays: None. Motion carried. (The advertised levy amount for the public hearing was \$0.6143)

BILL NO. 4770

Approving a contract with World Wide Technology pertaining to the purchase of computer hardware.

First Reading of Bill No. 4770, an ordinance approving a contract with World Wide Technology pertaining to the purchase of computer hardware and authorizing the Mayor to execute the contract was read by title by City Clerk Westfall and a staff report was presented by Chad Forster. Mayor Best asked for a motion approving Bill No. 4770. Alderman Todd moved to approve, seconded by Alderman Parnell. Mayor Best asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Best asked for comments from the Board. Discussion. Voting aye: Parnell, Booth, Todd, Bohinc, Davis and Simmons. Nays: None. Motion carried.

BILL NO. 4771

Accepting the proposal of Dazzee Integrations pertaining to the purchase of a backup appliance.

First Reading of Bill No. 4771, an ordinance accepting the proposal of Dazzee Integrations pertaining to the purchase of a backup appliance and authorizing the Mayor to execute the contract was read by title by City Clerk Westfall and a staff report was presented by Chad Forster. Mayor Best asked for a motion approving Bill No. 4771. Alderman Davis moved to approve, seconded by Alderman Simmons. Mayor Best asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Best asked for comments from the Board. Discussion. Voting aye: Parnell, Booth, Todd, Bohinc, Davis and Simmons. Nays: None. Motion carried.

BILL NO. 4772

Approving an Intergovernmental Agreement between the City of Branson and Taney County for centralized booking.

First Reading of Bill No. 4772, an ordinance approving an Intergovernmental Agreement between the City of Branson and Taney County for centralized booking and authorizing the Mayor to execute the contract was read by title by City Clerk Westfall and a staff report was presented by Kent Crutcher. Mayor Best asked for a motion approving Bill No. 4772. Alderman Parnell moved to approve, seconded by Alderman Todd. Mayor Best asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Best asked for comments from the Board. Discussion. Voting aye: Parnell, Booth, Todd, Bohinc, Davis and Simmons. Nays: None. Motion carried.

BILL NO. 4773

Approving Contract Amendment No. 5 to the agreement for professional consultant services with Crawford, Murphy & Tilly, Inc. for the Historic Downtown Streetscape Project.

First Reading of Bill No. 4773, an ordinance approving Contract Amendment No. 5 to the agreement for professional consultant services with Crawford, Murphy & Tilly, Inc. for the Historic Downtown Streetscape Project and authorizing the Mayor to execute the contract was read by title by City Clerk Westfall and a staff report was presented by David Miller. Mayor Best asked for a motion approving Bill No. 4773. Alderman Parnell moved to approve, seconded by Alderman Booth. Mayor Best asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Best asked for comments from the Board. No discussion. Voting aye: Parnell, Booth, Todd, Bohinc, Davis and Simmons. Nays: None. Motion carried.

BILL NO. 4774

Accepting the proposal of Republic Ford Lincoln, Inc. pertaining to the purchase of a 2016 Ford F150.

First Reading of Bill No. 4774, an ordinance accepting the proposal of Republic Ford Lincoln, Inc. pertaining to the purchase of a 2016 Ford F150 and authorizing the Mayor to execute the contract was read by title by City Clerk Westfall and a staff report was presented by Keith Francis. Mayor Best asked for a motion approving Bill No. 4774. Alderman Todd moved to approve, seconded by Alderman Davis. Mayor Best asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Best asked for comments from the Board. No discussion. Voting aye: Parnell, Booth, Todd, Bohinc, Davis and Simmons. Nays: None. Motion carried.

APPOINTMENTS

Mayor Best requested the following appointments be made to the Public Building Corporation:

Pat Rose, Re-Appointment to the Public Building Corporation with a term expiring June 2021.

Rod Romine, Re-Appointment to the Public Building Corporation with a term expiring June 2021.

Scott Skoglund, Appointment to the Public Building Corporation, replacing Jerry Lilley with a term expiring June 2018.

Mayor Best asked for a motion approving the appointments to the Public Building Corporation. Alderman Simmons moved to approve, seconded by Alderman Davis. Mayor Best asked for comments. Discussion. Voting aye: Parnell, Booth, Todd, Bohinc, Davis and Simmons. Nays: None. Motion carried.

Mayor Best asked for a motion to remove the appointment to the Planning and Zoning Commission from the agenda. Alderman Booth moved to remove the appointment to the Planning and Zoning Commission from the agenda, seconded by Alderman Todd. Discussion. Alderman Davis moved to amend the motion to remove the item from the agenda, contingent upon there being a Mayoral and Aldermanic effort, including staff, to create a transparent process that allows citizens, Aldermen and Staff the opportunity to get data and evaluate candidates for Boards and Commissions, seconded by Alderman Booth. Mayor Best asked for anyone in the audience wishing to speak regarding the amendment. Hearing none, Mayor Best asked for comments from the Board regarding the amendment. No discussion. Mayor Best asked for a vote on the amendment. Voting aye: Parnell, Booth, Todd, Bohinc, Davis and Simmons. Nays: None. Motion carried. Mayor Best asked for a vote on the motion as amended. Voting aye: Parnell, Booth, Todd, Bohinc, Davis and Simmons. Nays: None. Motion carried.

DISBURSEMENTS

Mayor Best stated the next item was review of disbursements for May 28, 2015, through July 17, 2015, and asked if there were any questions regarding the disbursements. [See Master File for copies of disbursements.] Mayor Best asked for a motion acknowledging the receipt of disbursements from May 28, 2015, through July 17, 2015. Alderman Booth so moved, seconded by Alderman Parnell. No discussion. Voting aye: Parnell, Booth, Todd, Bohinc, Davis and Simmons. Nays: None. Motion carried.

MAYOR/ALDERMEN/ADMINISTRATOR'S REPORTS

Alderman Davis expressed his safety concerns regarding the 4-wheel, all-terrain vehicles used during the Branson Adventure Challenge at the Lakeside Forest Wilderness Area by emergency personnel. He commented he felt these vehicles shouldn't have been driven on such steep, sloping terrain and said he wants to encourage these types of events, but doesn't want anyone to be injured in the process. He inquired what the City's policy is pertaining to these vehicles. Alderman Todd validated Alderman Davis' safety concern and suggested implementing an Authorized Operator Process in which individuals would be trained on specific vehicle operations and sign off annually. He added, these procedures would not deviate from the uses allowed by the manufacturer's manuals and he feels this is very important.

Alderman Bohinc wished Alderman Davis a happy anniversary and birthday.

Alderman Booth stated he attended the M. Graham Clark Downtown Airport Board meeting and announced its Manager, Mark Parent, will retire at the end of the year and the Board will begin the process of evaluating a replacement. He commented the airport hosted 26 Short Winged Piper Cubs

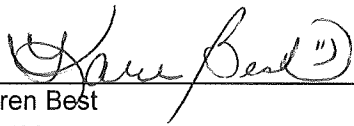
during the 2015 Show Me Short Wings Over the Ozarks Convention. Alderman Booth added, they really enjoyed Branson and felt this was the best convention in the history of the club. He commented Kanakuk Kamps has been using the airport facilities to host its Aviation Adventure Camp. Alderman Booth mentioned attending the Taney County Business Development Partnership Executive meeting and announced there will be a planning session on September 15th. He stated the partnership has joined a State economic organization called the Hawthorn Foundation and a meeting will be held on August 21st.

Alderman Parnell said he attended a meeting with Public Works Director and City Engineer Miller, City Administrator Malinen, City Staff and the Downtown merchants to address concerns with Phase I of the Downtown Revitalization Project. He said he believes the meeting went well and the merchants felt their concerns were listened to and will be acted upon. Alderman Parnell reported in response to this, there was another meeting held last week with Downtown merchants to help improve the communication between the contractor, Engineering Department and the merchants in which a decision was made to hold weekly conference calls to discuss any concerns with the project. Alderman Parnell thanked David Miller for his commitment to make this happen.


Mayor Best said she attended a Pizza Bakeoff hosted by the Branson-Hollister Senior Center which she felt was well attended and a lot of fun. She commented she had the opportunity to celebrate V-J Day and the foreign-exchange students who come to Branson during the summer months. She said she appeared on Ozarks Live, KY3 and KADI radio to promote the Play Ball Event scheduled for August 22nd and she announced the Youth Baseball Network will be in Branson next week. She invited the Aldermen to attend and support the event and said local children are looking forward to this event. She mentioned having the opportunity to welcome the Rock the Spectrum Event at the Branson Landing and give a welcome speech to the Missouri Council of Firefighters. Mayor Best commented she looked at some possible visual technology for the Spirit of Highway 76 project and she thanked Staff for their hard work on the building codes.

ADJOURN

Mayor Best asked for a motion to adjourn. Alderman Booth moved to adjourn, seconded by Alderman Todd. Voting aye: Parnell, Booth, Todd, Bohinc, Davis and Simmons. Nays: None. Motion carried. Meeting adjourned at 8:26 p.m.



Karen Best
Mayor



Lisa Westfall
City Clerk